

**F A X C O V E R**

\*\*\*\*\*OFFICIAL FAX\*\*\*\*\*

**Date:** August 18, 2004      **Number of pages** (including cover): 5

**To:** Office of Initial Patent Examination's Filing Receipt Corrections, U.S. Patent and Trademark Office

**Fax No.:** (703) 746-9195

**Serial No.:** 10/649,232

**Title:** **TISSUE VOLUME REDUCTION**

**From:** Amy Mendel

**Direct dial:** 617.646.8280

**Our File #:** B1136.70000US04

**CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Office of Initial Patent Examination's Filing Receipt Corrections, FAX number (703) 746-9195, at the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, in accordance with 37 C.F.R. §1.6(d), on the 18 day of August, 2004.

  
Christine A. Gardner**ORIGINAL DOCUMENTS WILL NOT BE MAILED.**

**MESSAGE:** Transmitted herewith are Request for Correction of Filing Receipt, w/ Marked-Up Filing Receipt Showing Corrections.

This transmission contains confidential information intended for use only by the above-named recipient. Reading, discussing, distributing, or copying this message by anyone other than the named recipient, or his or her employees or agents, is strictly prohibited. If you have received this fax in error, please notify us immediately by telephone (collect), and return the original message to us at the address below via the U.S. Postal Service.

**IF YOU DID NOT RECEIVE ALL OF THE PAGES OF THIS TRANSMISSION, OR IF ANY OF THE PAGES ARE ILLEGIBLE, PLEASE CALL 617.646.8000 IMMEDIATELY.**

**Wolf Greenfield Fax Number: 617.646.8646**

Wolf, Greenfield & Sacks, P.C. | 600 Atlantic Avenue | Boston, Massachusetts 02210-2206  
617.646.8000 | fax 617.646.8646 | [www.wolfgreenfield.com](http://www.wolfgreenfield.com)

**PATENTS TRADEMARKS COPYRIGHTS TECHNOLOGY TRANSFERS LITIGATION**

DOCKET NO.: B1136.70000US04

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Edward P. Ingenito  
Serial No: 10/649,232  
Confirmation. No.: 6203  
Filed: August 26, 2003  
For: TISSUE VOLUME REDUCTION  
Examiner: Catherine Serke Williams  
Art Unit: 3763

**CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Office of Initial Patent Examination's Filing Receipt Corrections, Fax Number (703) 746-9195, Commissioner for Patents, Washington, D.C. 20231, on the 18 day of August, 2004.

  
Christine A. Gardner

Office of Initial Patent Examination's Filing Receipt Corrections  
Fax # (703) 746-9195  
Commissioner for Patents  
Washington, DC 20231

**SECOND REQUEST TO CORRECT FILING RECEIPT**

Sir:

Please correct the priority data on the filing receipt as indicated below. The correction is indicated by underline on the attached copy of the Filing Receipt:

"Domestic Priority data as claimed by applicant" should read:

-- This application is a CON of 09/379,460, filed on 8/23/1999, U.S. Patent No. 6,610,043 and is a CON of 09/839,253, filed on 4/20/2001, U.S. Patent No. 6,682,520, which is a CON of 09/379,460, filed 8/23/1999, U.S. Patent No. 6,610,043 --

Applicant respectfully requests that the above corrections be made and that a corrected filing receipt be issued.

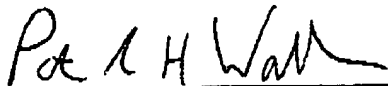
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

Serial No.: 10/649, 232

Art Unit: 3763

If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:   
Patrick R.H. Waller, Reg. No.: 41,418  
Amy F. Mendel, Reg. No.: 55,452  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617)720-3500

Docket No.: B1136.70000US04  
Date: August 18, 2004  
xNDDx

764767.1



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/649,232	08/28/2003	3763	375	10991-002004	9	18	1

CONFIRMATION NO. 6203

## CORRECTED FILING RECEIPT

\*OC000000013501437\*

23628  
WOLF GREENFIELD & SACKS, PC  
FEDERAL RESERVE PLAZA  
600 ATLANTIC AVENUE  
BOSTON, MA 02210-2211

Date Mailed: 08/11/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-8195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Edward P. Ingenito, Kingston, MA;

## Assignment For Published Patent Application

Bistech, Inc., a Delaware corporation;

## Domestic Priority data as claimed by applicant

This application is a CON of 09/379,460 08/23/1999 PAT 6,610,043  
and is a CON of 09/839,253 04/20/2001 PAT 6,682,520

~~which is a CON of 09/379,460 8/23/99 PAT 6,610,043~~

## Foreign Applications

If Required, Foreign Filing License Granted: 11/19/2003

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

B1136.700000504

Confirmation	<input checked="" type="checkbox"/>	Initials
Docketing	<input checked="" type="checkbox"/>	

DOCKETED  
AUG 17 2004

Tissue volume reduction

Preliminary Class

604

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 184, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

---